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Filed : March 7, 2000

## REMARKS

In the outstanding Office Action, the Examiner has rejected Claims 6-11. Reconsideration and allowance of all Claims 6-11 in light of the present remarks is respectfully requested.

### Discussion of Rejections of Claims 6-11 Under 35 U.S.C. § 103(a)

The Examiner has rejected Claims 6 and 9-11 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,159,592 to Perkins in view of U.S. Patent No. 5,793,762 to Baugh, et al. The Examiner also rejected Claim 7 under 35 U.S.C. § 103(a) as being unpatentable over Perkins in view of Baugh, and further in view of U.S. Patent No. 5,345,502 to Rothenhöfer, and Claim 8 under 35 U.S.C. § 103(a) as being unpatentable over Perkins in view of Baugh, and further in view of U.S. Patent No. 5,598,536 to Slaughter, III, et al.

In rejecting Claim 6, the Examiner stated that “Perkins discloses, in Figure 2, a method for reaching subscribers in a cellular mobile radio communication system (see col. 3 lines 63-68), comprising: temporarily assigning object identifications (e.g., pseudo-IP address) to subscribers (10), said temporary object identifications being formed by subscriber data sets (e.g., sets of pseudo-IP addresses) that respectively define an entire subscriber environment of a virtual communication network (e.g., dynamic pseudo-network) within the cellular mobile radio communications system, wherein one or more subscriber data sets are assignable to subscribers of the cellular mobile radio communication system, and wherein the subscriber data sets are selected from a pool of predetermined subscriber data sets (see col. 4 lines 49-65).” The Examiner further states that Perkins discloses “selectively allocating predetermined subscriber environments being defined by the subscriber data sets (see col. 5 lines 2-27).”

The Examiner recognizes that “Perkins fails to explicitly recite that the cellular mobile radio communications system is configured for at least voice communications.” However, the Examiner asserts that “it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Perkins’s system to include provisions for voice communications as taught by Baugh”.

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 180 U.S.P.Q. 580 (CCPA 1974).

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Furthermore, all words in a claim must be considered in judging the patentability of the claim against the prior art. *In re Wilson*, 165 U.S.P.Q. 494, 496 (CCPA 1970).

The communications network 1 illustrated in Fig. 2 of Perkins includes one or more local area networks (LANs) 2 and 3. Each LAN includes a wireless network comprising a plurality of mobile communication units (MU) 10 in wireless communication with a plurality of header stations (HS) 12. *Perkins at col. 3, lines 56-61.*

A data processor comprising a global gateway 18 includes means for assigning, maintaining and associating "pseudo-IP" addresses with particular mobile units 10. *Col. 4, lines 34-38.* An IP address consists of four bytes, or 32 bits, that are partitioned into a LAN identification and a Host identification. For example, an IP address may have the form "123.45.67.12", where the first two bytes encode a LAN address of 123 (byte 1) and 45 (byte 2). The remaining two bytes of the address generally encode Host information, and a different Host is associated with each LAN. Thus, in the present example, Host (12) may have up to 256 IP addresses associated therewith, as encoded in the third byte.

In accordance with IP practice each user of the network is assigned a unique network address. Generally, IP addresses assigned to the mobile units 10 inherently do not maintain a fixed connection relationship with the network. Perkins solves this problem by allocating a plurality of IP addresses to the global gateway 18. These allocated IP addresses are subsequently dynamically assigned by the global gateway 18 to requesting mobile units 10, either on a temporary basis (one network session) or on a permanent, extended, basis (several network sessions). *Col. 4, lines 54-60.* At the termination of a session or sessions, the IP address is returned to the global gateway 18 for subsequent reassignment to the same or another mobile unit 10. The assigned IP addresses are referred to as pseudo-IP addresses and represent a dynamic pseudo-network. *Col. 4, lines 63-65.*

In Perkins, the global gateway 18 "owns" all of the associated pseudo-IP addresses and allocates and deallocates the pseudo-IP addresses as the mobile units 10 enter and leave the LANs 2 and 3. *Col. 5, lines 2-5.* A mobile unit 10 typically maintains its assigned pseudo-IP address until it is turned off, or until the network session is actively terminated.

According to Perkins, a pseudo-IP address is selected from a pool of "reserved" IP addresses and randomly allocated to a mobile unit 10. However, an IP address is not related to specific services of a subscriber or a specific subscriber environment. It makes no difference in

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Perkins' system as to which one of the "reserved" IP addresses is assigned to a mobile unit. The mobile unit will not "feel" any difference in its operation and performance. In particular, a pseudo-IP address is in no way associated with the subscriber to whom it is assigned.

In contrast to Perkins, it makes a difference which object identification is assigned to a particular subscriber in the claimed method. Each object identification is formed by a subscriber data set that respectively defines a particular subscriber environment of the mobile radio communication network.

Further to the example provided in Applicant's specification at page 3, lines 7-27, Applicant provides the following.

Subscriber data set A includes a specific calling number A, or, a group of calling numbers, a list of mobile communication services A which are allowed or not allowed to be used, etc. Subscriber data set B includes a specific calling number B, or, a group of calling numbers, a list of mobile communication services B which are allowed or not allowed to be used, etc.

If a subscriber requires a calling number A and specific communication services A, he will be allocated the subscriber data set A. Similarly, a subscriber who requires a calling number B and specific communication services B will be allocated the subscriber data set B.

Thus, in contrast to Perkins, it makes an important difference which subscriber data set is allocated to a particular subscriber in the method recited in Claim 1, such that only the "authorized subscriber" is allocated the appropriate "predetermined subscriber environment".

In addition, the pseudo-IP addresses described by Perkins do not include subscriber data sets, wherein the "subscriber data sets define an entire subscriber environment". In contrast, the IP addresses used in Perkins are simply multi-digit numbers.

Furthermore, Perkins fails to teach or suggest that "one or more subscriber data sets are assignable to subscribers of the cellular mobile radio communication system" as recited in Claim 6, nor does the Examiner point to such a teaching.

Finally, the Examiner asserted that the pseudo-IP address taught by Perkins corresponds to the object identifications assigned to subscribers in the method of Claim 1, and further that sets of pseudo-IP addresses correspond to the subscriber data sets recited in Claim 1. However, Applicant respectfully submits that, in contrast to the method of Claim 1 where the object identifications are formed by subscriber data sets, Perkins' pseudo-IP addresses are not and cannot be formed by "sets of pseudo-IP addresses" as asserted by the Examiner. Specifically, it

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is well known that subscriber data sets include permanent subscriber data as well as temporary subscriber data. *See* GSM Specification 3G TS 23.008, Ch. 1.1. Perkins' pseudo-IP addresses do not include such subscriber data.

Baugh describes an apparatus for transmitting and receiving voice communication at a computer over a LAN in real-time. Baugh, however, fails to teach or suggest a method of reaching subscribers in a cellular mobile radio communications system and the above-identified elements recited in Claim 6 and missing from Perkins.

Thus, as neither Perkins nor Baugh, either alone or in combination, teach or suggest every element as recited in Claim 6, Applicant respectfully submits Claim 6 for further review as patentable subject matter.

Because Claims 7-11 depend from Claim 6, pursuant to 35 U.S.C. § 112, ¶ 4, they incorporate by reference all the limitations of the claim to which they refer. It is therefore submitted that these claims are in condition for allowance at least for the reasons expressed with respect to the independent claim, and for their other features.

### CONCLUSION

Applicant has endeavored to address all of the Examiner's concerns as expressed in the outstanding Office Action. Accordingly, arguments in support of the patentability of the pending claim set are presented above. In light of these remarks, reconsideration and withdrawal of the outstanding rejections is respectfully requested.

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Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.



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Respectfully submitted,

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